

provide a graphic user interface that has the ability to modify its appearance, depending upon which surrounding devices are close and which surrounding devices are distant, as in the claimed invention.

More specifically, Fidler discloses a method for obtaining location data for use by a peripheral device that queries portable second devices that are near the peripheral device and have real-time location systems (RTLS) capabilities (abstract) where the RTLS capabilities are more commonly known as global positioning system (GPS) capabilities (column 1, lines 51-54). Thus, Fidler discloses a system whereby peripheral devices that may not be GPS capable, have the ability to obtain GPS information from secondary devices that are GPS capable. In other words, Fidler provides an additional way for a device to find its global location through GPS type systems. However, this teaching would not motivate one ordinarily skilled in the art to modify a graphic user interface depending upon the devices that are in close proximity to the graphic user interface. There is no teaching among the combined three references (or any other prior art of record) of the claimed ability to change "an appearance of a user interface depending upon which secondary devices are in physical proximity to said primary device" as defined by independent claims 1, 6, 11, and 16.

Therefore, it is Applicant's position that independent claims 1, 6, 11, and 16 are patentable over the prior art of record, further, dependent claims 2-5, 6-10, 12-15, and 17-20 are similarly patentable, not only because they depend from a patentable independent claim, but also because of the additional features of the invention they define. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw this rejection.

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III. Formal Matters and Conclusion

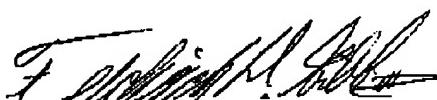
In view of the foregoing, Applicants submit that claims 1-20, all the claims presently pending in the application, are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary.

Please charge any deficiencies and credit any overpayments to Attorney's Deposit
Account Number 09-0458.

Respectfully submitted,

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Frederick W. Gibb, III, Esq.
Registration No. 37,629

McGinn & Gibb, PLLC
2568-A Riva Road, Suite 304
Annapolis, MD 21401
(410) 573-1545
Customer Number: 29154

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